



## **THE 'DUAL-LABEL' EMERGENCY CONTRACEPTION ENVIRONMENT**

**OVER-THE-COUNTER (OTC) ACCESS TO EC HAS BEEN EXPANDED.** On March 23, 2009, a federal court in New York ordered the Food and Drug Administration to make EC available without a prescription to women aged 17 and older within 30 days and to consider eliminating all age restrictions on over-the-counter access. Women and men 17 years of age and older can buy EC directly from the pharmacy upon the presentation of a valid government issued ID. Previously, only women and men 18 and older could access EC OTC without a prescription.

**EXPANDED ACCESS TO EC IS A PARTIAL VICTORY.** The FDA's decision to approve EC access for women 17 and older is an incomplete victory. While the FDA's decision expands access to EC for *some* women, it does not go far enough to improve access to EC for *all* women. Many women, due to the age restriction, ID requirement, or the high cost of EC OTC, will be excluded from timely OTC access as a result of the FDA's decision. Immigrant women or other women without government issued ID may have to seek a prescription in order to access EC at the pharmacy, delaying their timely access to EC which is most effective when taken as soon as possible after unprotected sex. Similarly, the high cost of EC over-the-counter, usually between \$40.00-\$60.00 at pharmacies nationwide, is an additional barrier to women accessing EC when they need it.

**TEENS UNDER THE AGE OF 17 ARE STILL REQUIRED TO OBTAIN A PRESCRIPTION FOR EC.** Women under 17 can get a prescription for EC from a physician or other reproductive health care providers. Many clinicians require a woman to come in for an office visit before prescribing emergency contraception. EC is available to young women under the age of 17, even without identification, at participating pharmacies in the following states: AK, CA, HI, NH, NM, MA, ME, VT, and WA.

**TEENS HAVE BEEN DENIED TIMELY ACCESS TO EC.** There are no medical or scientific reasons for imposing an age restriction on OTC sales of EC. EC is safe for women of all ages. Because EC works better the sooner you take it, it is important to obtain EC as soon as possible after unprotected sex. Maintaining the medically unnecessary and burdensome prescription requirement for teens will lead to delays, potentially causing them to miss the window of opportunity to avoid an unintended pregnancy.

**THE EC KNOWLEDGE GAP PERSISTS.** One third of adult women are still not aware that there is something they can do to prevent pregnancy after unprotected sex. In light of the FDA's decision, increased efforts are needed to explain EC access in this new 'dual-label' environment and to promote knowledge and use of this safe, effective, back up birth control method.

**THE BUYBC CAMPAIGN REMAINS STEADFAST IN ITS COMMITMENT TO INCREASE EC ACCESS THROUGH EDUCATION AND OUTREACH.** EC still remains the "best kept secret" in women's health care. In order to truly expand EC access to all women in the 'dual-label' environment, improved public education is needed to ensure that all women can back up their birth control with EC. The BUYBC campaign is dedicated to providing the information and resources necessary to allow all women to access EC in a timely manner.